



June 2007

Information Request Questions: Superfund Recycling Equity Act – Batteries

1. For the following questions which relate to transactions involving batteries (lead-acid batteries, nickel-cadmium batteries, reject batteries, and other spent batteries), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:
 - a. List all shipments of whole batteries your company sent to the Site. In this list, include the date of each transaction, number of batteries, type of battery (e.g., lead-acid, nickel-cadmium, reject, or other) and quantity sent, the amount paid or collected in connection with each transaction, the method of payment, and identify the person making or receiving payment.
 - b. What commercial specification grade did the batteries listed in your response to 1(a) meet? Identify/list the commercial specification grades that each type of battery identified in 1(a) met.
 - c. Did a market exist for the batteries listed in your response to question 1(a)? If so, describe the nature of such market at the time of the transaction (possible uses, possible consumers, etc.) and the source of that commercial specification grade (e.g., Institute of Scrap Recycling Industries, Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).
 - d. At the time of the transaction(s) involving batteries listed in your response to question 1(a), what was the intended disposition of the batteries at the Site?
 - e. After sale, transfer, delivery, or disposal, what portion of the batteries listed in your response to question 1(a) was to be made available for use as a feedstock for manufacturing new saleable products? Explain how the portion identified in this answer was derived or calculated.
 - f. Could the batteries listed in your response to question 1(a) have been used as a replacement or substitute for a virgin raw material? If so, provide details.
 - g. Could any products to be made from the batteries listed in your response to question 1(a) have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so, provide details.
 - h. Was the transaction between your company and the facility at the Site: 1) an outright sale; 2) subject to a written or verbal "tolling" agreement between the companies; or 3) reflected the "banking" of the transacted material in a metal account at the request of your company for return or other disposition at a later date.
 - i. What, if any, components of the whole batteries listed in your response to question 1(a) were removed before transport to the Site? Describe what was removed, and where such removal occurred. Include in your description any attempt to remove any hazardous substances (e.g., battery paste/mud, battery acid) from the components.
 - j. How were the components of the whole batteries removed? Describe the method used to recover the components.

- k. With respect to all transactions involving batteries listed in your response to question 1(a), at the time of the transaction, specify the measures taken by your company to determine the actual means of treatment, disposal or other use of batteries by [insert name of company and/or broker], or the ultimate disposal or disposition of such materials.
 - l. What steps (e.g., internal procedures, federal, state, and local compliance inquiries) were taken by your company to ensure that [insert name of company and/or broker] receiving the materials was in compliance with applicable Federal environmental regulations or standards, and any amendments with respect to batteries listed in your response to question 1(a)?
 - m. Provide all information in your possession that shows that you were in compliance with applicable Federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of spent lead-acid batteries.
 - n. With respect to all transactions involving nickel-cadmium or other spent batteries, at the time of the transaction provide all information in your possession that shows that your company was in compliance with applicable Federal environmental regulations or standards in effect regarding the storage, transport, management, or other activities associated with the recycling of spent nickel-cadmium or other spent batteries?
 - o. What steps were (e.g., internal procedures, federal, state, and local compliance inquiries) taken by your company to ensure that [insert name of company and/or broker] receiving the batteries was in compliance with applicable Federal environmental regulations or standards with respect to nickel-cadmium or other spent batteries?
- 2. Did your company have a basis for believing that the batteries listed in your response to question 1(a) sent to the Site would be recycled? If so, what was that basis? Provide supporting documentation.
 - 3. Did your company have a basis for believing that the facility at the Site was in compliance with substantive provisions of any Federal, State, or local environmental law or regulation, or compliance order or decree issued applicable to the handling, processing, reclamation, or other management activities associated with the batteries listed in your response to question 1(a)? If so, what was that basis? Provide supporting documentation.
 - 4. Describe the efforts your company undertook with respect to the management and handling of the batteries listed in your response to question 1(a), including the extent to which you adhered to customary industry practices current at the time of the transaction designed to minimize contamination of the batteries by hazardous substances.
 - 5. Describe all efforts (i.e., site visits) taken by your company [and/or broker, insert if applicable] to determine what would be done with the batteries listed in your response to question 1(a) that may have been sold, transferred, or delivered to the Site.